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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

French Polynesia

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources and is extracted from public sources on the Internet. Further details are contained in previous working papers, available from: www.un.org/en/decolonization/documents.shtml.

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The Territory at a glance

Territory: French Polynesia is a Non-Self-Governing Territory under the Charter of the United Nations. It is administered by France.

Representative of administering Power: Lionel Beffre, High Commissioner of the Republic (since 21 August 2013).

Geography: French Polynesia occupies a vast maritime zone in the south Pacific, covering an area comparable to that of Europe (2.5 million km²).

Land area: The 118 islands that comprise French Polynesia, grouped in five archipelagos, represent a land area of about 3,600 km².

Exclusive economic zone: 4,767,242 km².

Population: 271,800 (2014, Statistical Bureau of French Polynesia).

Life expectancy at birth: women: 77.4 years; men: 72.8 years (2013).

Ethnic composition: Polynesian (65 per cent); "Demis" (mixed race) (16 per cent); Chinese (5 per cent); Popâa (white) (12 per cent, of whom 98 per cent are French).

Languages: French; Tahitian; Marquesan; Tuamotuan; Mangareva; the Austral island languages: Ra'ivavae, Rapa, Rurutu; English; Hakka Chinese; Cantonese; and Vietnamese.

Capital: Papeete.

Head of territorial Government: Édouard Fritch (since September 2014).

Main political parties: The political groupings in Congress are: Tahoera'a Huiraatira, Tapura Huiraatira, Union for Democracy, A Ti'a Porinetia.

Elections: Municipal, European and senatorial elections, as well as legislative by-elections, were held in 2014. Senatorial by-elections were held in May 2015.

Parliament: The Assembly of French Polynesia consists of 57 representatives elected by universal suffrage.

Gross domestic product (GDP) per capita: US$ 26,113 (2012).

Unemployment rate: 21.8 per cent (2013).

Economy: Fishing and copra farming are the two traditional activities. In addition to trade, the Territory's economy relies on handicrafts, industry, construction and public works, and more recently tourism, as well as aquaculture, in particular, pearl farming (black pearl cultivation), which has become the leading export in value terms.

Monetary unit: Pacific franc, or CFP franc.

Brief history: The Polynesian people became established as a result of successive waves of migration from 300 A.D. to the end of the fourteenth century. Europeans first reached French Polynesia in 1521 (Magellan) and started to settle after the arrival of Captain Wallis (1767). Beginning

in the early nineteenth century, the Pomare dynasty extended its influence over both Tahiti and the Tuamotu and Leeward Islands. It signed a protectorate treaty with France in 1842; then, in 1880, King Pomare V granted France sovereignty over the islands that were dependencies of the Tahitian crown, thereby giving rise to the French Establishments in Oceania. The latter became an overseas collectivity with the creation of the French Union in 1946 and has been referred to as French Polynesia since 1957. The Polynesians reaffirmed their wish to remain a territory of France in a referendum held in 1958 (source: Institut d'Emission d'Outre-mer).

I. Constitutional, political and legal issues

1. According to the French Government portal set up for collectivities, which is maintained by the General Directorate of Public Finances and the General Directorate of Local Collectivities, the Constitution of 27 October 1946 classified Polynesia as an overseas territory (territoire d'outre-mer), and that status was maintained by the 1958 Constitution. The constitutional review of 28 March 2003 amended article 74 of the Constitution in relation to overseas territories and replaced the term "overseas territory" (territoire d'outre-mer) with the term "overseas collectivity" (collectivité d'outre-mer). Legislators were tasked with defining the organizational and operational rules of a collectivity's institutions and the electoral arrangements of its deliberative assembly. The status of each overseas collectivity is adopted after consultation by its deliberative assembly. Polynesia's status was established by Act No. 2004-192 of 27 February 2004, which specified an organization that was different from that under common law and close to an assembly-based parliamentary system. The President of Polynesia has a representative function, directing the actions of government and administration, and promulgating local "country laws" (*lois du pays*). The Polynesian Government, comprising between 7 and 10 ministers, is responsible for conducting the collectivity's policy. The collectivity's deliberative body is the Assembly of Polynesia, which is elected by direct universal suffrage every five years.

2. Also according to the French Government portal for collectivities, despite its special institutional organization, Polynesia does not have political autonomy; however, it does enjoy administrative autonomy, and is subject to specific legislation. Under the principle of legislative and regulatory specificity, the organic legislative body of each overseas collectivity is tasked with establishing the conditions for applying relevant laws and regulations. Metropolitan law is therefore applicable only when explicitly indicated. Moreover, Polynesia's deliberative assembly has recourse to certain categories of act, in accordance with its competencies in the legal domain, which are known as "country laws" (*lois du pays*). These acts have a broad scope under Polynesia's statutory jurisdiction and can be appealed only to the French Council of State (Conseil d'Etat) and not to the Polynesian Administrative Tribunal (Tribunal administratif). This administrative autonomy entails the sharing of jurisdiction by the French State and Polynesia. The State has jurisdiction in the areas of sovereignty referred to in article 14 of the Organization Act of 2004 and in 37 other areas, such as intercommunity cooperation, police and civil aviation security, which the collectivity has chosen to attribute to the State. For its part, in addition to ordinary jurisdiction, Polynesia may, subject to monitoring by the State, exercise its jurisdiction in guaranteeing the rights granted throughout the national territory regarding public freedoms (art. 14, para. 11, of Act No. 2004-192 of 27 February 2004).

3. According to the 2014 annual report on French Polynesia published by the Institut d'Emission d'Outre-mer in 2015, the 2004 reform resulted in a long period of political instability, which the adoption of two laws (Organization Act No. 2007-223, abolishing the electoral rule whereby additional seats were attributed to the party having won the majority of votes; and Organization Act No. 2007-1720 on introducing motions of no-confidence) failed to remedy; it should be noted that 11 governments succeeded one another from 2004 to 2013. In 2011, Organization Act No. 2011-918 on the functioning of institutions was adopted to restore stability.

This law modified the electoral process by re-establishing the electoral rule previously abolished and by creating a single electoral constituency; it also set a limit on the number of ministers and the possibility of overthrowing the government. This law has been implemented since the territorial elections held in May 2013.

4. According to the Institut d'Emission d'Outre-mer, the institutions of French Polynesia consist of the President, the Government, the Assembly of French Polynesia and the Economic, Social and Cultural Council. The role and powers of these institutions are defined by organic law.

5. The President is elected by the Assembly of French Polynesia by secret ballot for a five-year term. He forms the Government by appointing the Vice-President and ministers, whom he can dismiss; and he directs the action of the ministers. The President promulgates country laws and signs the acts adopted by the Council of Ministers. He is the originator of the budget and directs territorial administration. His mandate is compatible with that of a deputy, senator and mayor, and it can be terminated by a vote of no confidence by the Assembly, or in the event of the latter's dissolution. On 12 September 2014, the Assembly of French Polynesia elected Mr. Édouard Fritch as President of the Territory.

6. The Government serves as French Polynesia's executive power and conducts its policy. It meets every week through the Council of Ministers, which has collective and collegiate responsibility for affairs within its jurisdiction. The Government establishes which draft decisions are to be submitted to the Assembly and which enabling measures are needed to implement them. It also has wide-ranging regulatory power. It is consulted on a mandatory basis in areas where the State has jurisdiction, either by the Minister for Overseas Territories or by the High Commissioner, depending on the case in question.

7. The Assembly of French Polynesia, consisting of 57 members elected by direct universal suffrage for five-year terms, debates all issues within the collectivity's jurisdiction, other than those devolved to the Council of Ministers or to the President of the Government. The Assembly adopts country laws, over which the Council of State exercises jurisdictional control, and the decisions submitted by the Government. It votes on French Polynesia's budget and accounts and oversees actions taken by the Government. The Government may be overthrown by a motion of no confidence; the Assembly can be dissolved by a decree issued by the President of the Republic, at the request of local government.

8. The Economic, Social and Cultural Council, a consultative body, consists of representatives from professional groupings, labour unions, organizations and associations involved in the economic, social and cultural life of the collectivity. The Council issues opinions with corresponding recommendations on issues referred to it by the Government and the Assembly. Its advice must be sought on economic, social and cultural projects, and it must be consulted on legislative proposals prepared by the Government or the Assembly of French Polynesia. It may also undertake studies on issues within its jurisdiction, on its own initiative, subject to a two-thirds majority vote of its members. The Council consists of 51 members who are appointed by their peers for a four-year term and are distributed among three colleges (representatives of wage earners; representatives of entrepreneurs and self-employed workers; and representatives of sociocultural sectors). Its president is elected for two years.

9. According to the 2015 Guide to State services and institutions in French Polynesia, the High Commissioner of the Republic represents the central Government and each of the ministers. He works closely with the President and the Government of French Polynesia, which are in contact with all national stakeholders, to serve the public interest. The safety and security of its citizens is the High Commissioner's main priority. He manages the High Commission's administrative and technical services, primarily for communities and individual beneficiaries. At the request of French Polynesia, he mobilizes the expertise necessary to create high-impact projects, with a view to supporting the economy. The High Commissioner also ensures the coherence of all services provided by the French State. He is the intermediary between the central administrations and the ministers in Paris. Alongside the judicial authority, administrative judge and auditor, he is responsible for ensuring observance of the law and the legal soundness of the acts adopted by the collectivities. As a representative of the Government, the High Commissioner is responsible for guiding the activities of the French State at sea. The geographical jurisdiction of the High Commissioner covers the maritime zone of French Polynesia, including the waters under French sovereignty and jurisdiction surrounding Clipperton Island, that is, within the limits of the exclusive economic zone.

10. In 2014, the French Council of State invalidated country law No. 2013-17, which in 2013 had re-established the High Council of French Polynesia, a consultative body tasked with advising the President of the Territory and the Government in the drafting of country laws, regulatory acts and decisions. In 2011, the High Council had been eliminated in application of the recommendations of the assistance mission to French Polynesia aimed at reducing operational costs.

11. The French Minister for Overseas Territories visited French Polynesia from 9 to 11 March 2015. In a statement made on 11 March 2015, the Minister referred to, inter alia, the project agreements signed with the territorial authorities, the particular challenges facing the Territory's communities, the Territory's social regime, and the status of French Polynesia.

12. According to the final communiqué of the forty-sixth meeting of the leaders of the Pacific Islands Forum, held in Port Moresby, Papua New Guinea, from 8 to 10 September 2015, the decision on the application of French Polynesia for full membership was deferred pending a review of the criteria for admission of new members to the Forum.

II. Economic conditions

A. General

13. According to the French Ministry for Overseas Territories, fishing and copra production are the two traditional activities in the Polynesian archipelagos, which extend over vast stretches of ocean. In addition to trade, the Territory's economy relies on handicrafts, industry, construction and public works, and more recently tourism, as well as aquaculture, in particular, pearl farming (black pearl cultivation), which has become the leading export in value terms.

14. According to a document published by the Institut d'Emission d'Outre-mer in August 2015, the service sector plays an important role in the Polynesian economy, generating 86 per cent of total value added in 2011. At the end of 2014, more than 8 out of every 10 wage workers were employed in the service sector. Business services are the main branch of the economy, accounting for 40 per cent of wealth produced. In the service sector, public administration generates 37 per cent of the Territory's wealth. The primary sector, which comprises agriculture, pearl farming and fisheries, accounts for only 3 per cent of the Polynesian economy. Between 2007 and 2013, there was a sharp economic slowdown in French Polynesia, which was affected by the global economic crisis and local political instability. In 2014, growth in gross domestic product was positive for the first time since 2008, boosted by public investment, in particular through the project agreement entered into by the French State and the Territory. Two new project agreements for 2015-2020 were approved by the Assembly of French Polynesia on 3 March 2015: the first related to the financing of projects under the jurisdiction of the Territory and the second was for the financing of community projects.

15. On 10 December 2015, the Assembly of French Polynesia adopted an initial budget of 141.3 billion CFP francs for 2016 (6 per cent higher than the initial budget for 2015).

B. Agriculture, fisheries, aquaculture and pearl farming

16. According to the report of the Institut d'Emission d'Outre-mer mentioned in paragraph 3, Polynesian agriculture is based on small-scale family farms that practise polyculture. Its development is hindered by farmers' lack of training and a shortage of land suitable for crop growing (challenging terrain in the higher islands, poor-quality soil on the atolls, issues related to a lack of land division, etc.). The Society Islands archipelago is the country's leading agricultural region, accounting for 60 per cent of all farms in French Polynesia. The other archipelagos practise more specialized agriculture. The Tuamotu and Marquise islands are the main producers of copra, while the Austral Islands specialize in truck farming. The utilized agricultural area shrank by 45 per cent between 1995 and 2012, which was when the last general agricultural census was taken. At the same time, the volume of commercial agricultural production was broadly maintained and its value rose by 23 per cent, indicating an increase in productivity.

17. Thanks to its exclusive economic zone, French Polynesia has major fishery potential. Nonetheless, fishing is currently enduring a crisis driven by both cyclical and structural factors. As a result of the depletion of fishery stocks during the period 2003-2006 and the El Niño climatic pattern, the profitability of fishing fleets has declined. Moreover, the fishing industry lacks skilled workers, and some industrial fishing vessels do not comply fully with the regulations. According to the Institut d'Emission d'Outre-mer, fishing sector exports increased by 18 per cent in volume terms and 13 per cent by value in 2014. Aquaculture in French Polynesia is practised by five farms specializing in shrimp culture, fish farming, and coral aquaculture. The Fisheries Service estimates annual sales at around 110 million CFP francs.

18. The Tahitian pearl, which has become a flagship industry of the Polynesian economy, has undergone a major crisis since the beginning of the 2000s, as a result

of falling world prices and challenges in formalizing the industry. In 2013, Tahitian pearls nevertheless accounted for more than half of all export revenues and helped to sustain the inhabitants of outlying islands, particularly the Tuamotu-Gambier islands. According to the Institut d'Emission d'Outre-mer, pearls accounted for 69 per cent of the Territory's export revenues from goods in 2014.

C. Industry

19. According to the annual report of the Institut d'Emission d'Outre-mer published in 2015, despite severe structural constraints (specifically, the small domestic market, which restricts economies of scale for businesses targeting local demand; relatively high labour costs, which make Polynesian products less competitive; and heavy dependence on raw materials and energy), French Polynesia has nonetheless succeeded in creating an industry based on three major hubs: agrifood, shipbuilding, and the manufacture of intermediate construction goods, supported by a number of processing activities (furniture, textiles and printing). Local industry development benefits from customs protection in the form of the local development import tax. The Polynesian industrial sector is made up of primarily small units: 85 per cent of the 2,425 industrial businesses listed in the 2014 territorial business directory of the Statistical Bureau of French Polynesia employed a maximum of two wage workers; and a total of 100 businesses employed a maximum of 10.

D. Transport and communications

20. According to the French Ministry for Overseas Territories, the port of Papeete is French Polynesia's maritime link to the outside world. It is managed by a public enterprise, the autonomous Port of Papeete. Since its first master plan in 1987, it has expanded its infrastructure to meet the requirements of economic growth. According to the Institut d'Emission d'Outre-mer, its 10-year plans have allowed for the modernization of its facilities. During the period 1999-2009, French Polynesia focused on modernizing the services provided to incoming cruise ships and leisure boats, and on developing infrastructure for fishing and inter-island trade, such as the construction of a ferry terminal, which opened in 2012. The 2009-2019 plan seeks to improve security, in line with international regulations, and to address the overcrowding in the area currently surrounding the port. A new marina opened in the centre of Papeete at the end of April 2015.

21. French Polynesia has air connections to all continents: Asia (Japan); Oceania (New Caledonia, New Zealand, Cook Islands); North America (United States of America); South America (Chile); and Europe. It has one international airport, in Tahiti (Fa'a'ā), owned by the State. In 2010, operation of the airport was handed over to a semi-public company, Aéroport de Tahiti, whose capital is shared between French Polynesia, the French Development Agency (Agence Française du Développement), and Egis, a subsidiary of Caisse des Dépôts et Consignations. The archipelagos are serviced primarily by the private sector and by the administrative fleet (limited to public services, such as transporting children to school from the outlying islands).

E. Tourism

22. According to a report published by the Institut d'Emission d'Outre-mer in August 2015, the tourism industry is the leading source of goods and services exported from the Territory. The tourism industry represents 2,750 businesses (12 per cent of total businesses in 2014), which generate 15 per cent of French Polynesia's turnover and employ 16 per cent of wage workers (9,720 people).

23. According to the Statistical Bureau of French Polynesia, the tourism industry lacks diversification: 80 per cent of visitors come from the five main countries of origin (Australia, France, Italy, Japan, United States of America). In October 2015, tourism was stable in the Territory, with an increase of 0.1 per cent compared to October 2014.

24. According to the annual report of the Institut d'Emission d'Outre-mer published in 2015, the Polynesian tourism industry is nevertheless struggling to maintain its place in an increasingly competitive environment. French Polynesia has benefited neither from the increase in world tourism, nor from the positive economic momentum in the Pacific. According to the Institut d'Emission d'Outre-mer, tourism in French Polynesia grew significantly in the 1990s, with a 6 per cent average annual increase in the number of tourists. Since 2007, however, tourism has slowed considerably, with just 164,400 tourists visiting the Territory in 2013. A tourism revival was, however, evident in 2014, when 180,600 tourists visited the Territory, a 10 per cent increase compared with 2013, boosted by the strong growth in cruise holidays (up by 43 per cent), which meant that more international liners stopped in the Territory.

F. Environment

25. According to the Institut d'Emission d'Outre-mer, the Government has set a 50 per cent target for the proportion of renewables in total energy use by 2020, as part of its sustainable development strategy. More than 60 per cent of energy consumption is oil-dependent; the remainder comes from hydroelectric power and, to a much lesser extent, from solar energy (photovoltaic). Hydroelectric power remains the main alternative to thermal energy, accounting for 33 per cent of electricity generated in 2014. There are two thermal power facilities on the island of Tahiti (Vairaatoa, Punaruu) and five hydroelectric plants (Papenoo, Faatautia, Vaihiria, Titaaviri and Vaite). On the other islands, thermal power is most prevalent. Organization Act No. 2004-192 on the autonomous status of French Polynesia increased the responsibility of the communities for drinking water supply and wastewater treatment. Despite the efforts made under the 2008-2014 project agreement, the current situation is still unsatisfactory. The degradation of water resources is one of the major causes of lagoon and river pollution and has negative consequences on people's health. Given the challenges faced by the communities in meeting their obligations, the General Code of Local Collectivities was amended in March 2015 in order to extend the time frame for providing sanitation, safe drinking water and waste treatment services. Before, the communities were supposed to supply safe drinking water by 2015 and provide wastewater treatment services by 2020 at the latest; now, they have until 2024 to do so. This extension, however, is conditional on the establishment of a forward equipment procurement and upgrading plan by the end of 2019 at the latest. An estimated 130,000 tons of

sewage are produced each year (75 per cent in Tahiti); this major challenge is further accentuated by the scattered geography of the islands and large distances between them. Responsibility for waste management rests with the communities, which collect and treat domestic solid waste.

26. The Polynesian Leaders Group held a climate change conference in Papeete from 15 to 16 July 2015. The aim of the conference was to adopt a common position on climate change issues and challenges, and convey that position to the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Paris from 30 November to 11 December 2015.

III. Social conditions

A. General

27. French Polynesia's single programming document for the tenth European Development Fund in 2013, referring to a study conducted by the French Development Agency, stresses that an estimated 19.7 per cent of households have incomes below the relative poverty line. According to the study, major income gaps remain; the relative poverty of households is expected to deteriorate further; and income instability mainly affects low-income families and those not benefiting from regular wages. Lastly, given the inadequate targeting of social transfers and the lack of direct progressive taxation of revenue, public policy is of particular importance for reducing inequalities and consequently poverty.

28. The agreement formalizing the assistance to be provided by the French State to the territorial solidarity regime of French Polynesia was signed on 16 April 2015. France made three commitments: to provide an annual subsidy of 12 million euros over three years from 2015 until 2017; to write off the regime's debt of 6 million euros in respect of the Paris public hospital system; and to cancel the 30-per-cent surcharge applied to care for Polynesian patients who are hospitalized in a Paris public hospital. Meanwhile, French Polynesia undertook to introduce the reforms needed to ensure the long-term sustainability and stability of its social protection system, to reform its health-care system and to implement a new health strategy for 2015-2019.

B. Employment

29. According to the Economic, Social and Cultural Council, the labour market is dominated by the service sector, which accounts for 80 per cent of direct wage-paying jobs declared to the Social Security Fund (Caisse de prévoyance sociale). According to the Institut d'Emission d'Outre-mer, services employ 67 per cent of all wage workers, half of whom work in the business sector. Construction employs 7 per cent of workers and manufacturing 8 per cent. The primary sector, agriculture and the marine sector together account for 3 per cent of wage workers (2013). The public sector plays an important role, owing to the establishment and activity of the Pacific Experimentation Centre, which has carried out large-scale hiring. This sector now employs nearly 15,000 civil servants, or 13 per cent of the active workforce. The labour market is dominated by wage employment and is heavily influenced by

the demographic situation, characterized by over one third of the population under 20 years of age, a declining fertility rate and ever-increasing life expectancy, which in turn speeds up population ageing. Forecasts made by the Statistical Bureau of French Polynesia suggest that individuals 60 years of age and older will make up 17 per cent of the population in 2027, compared to 9 per cent in 2007.

30. According to data published by the Institut d'Emission d'Outre-mer in December 2015, wage employment increased in the third quarter of 2015 in most sectors: hospitality and catering (+0.5 per cent), services (+1.2 per cent) and industry (+0.2 per cent). Employment in construction was down 0.4 per cent. Year-on-year, employment rose by 1.6 per cent, while over the previous five years, it contracted by 1.3 per cent per year on average. In 2014, so-called "employment access" contracts were introduced to facilitate access to the labour market by the unemployed, under certain conditions.

C. Education

31. According to the Ministry for Overseas Territories, under article 6 of the Autonomy Act No. 96-312 of 12 April 1996, primary and secondary education is the Territory's responsibility, while post-baccalaureate and higher education is the responsibility of the State. French Polynesia has 236 primary schools (including pre-primary and special-needs schools) and 99 secondary schools. The school year is not identical to that of the metropolis, owing in particular to specific climate factors: the long vacations are shorter (roughly 50 days), and Christmas vacations are longer (about one month). Nonetheless, the State guarantees the national equivalency of the diplomas awarded, while French Polynesia has total jurisdiction in terms of educational activities. The town halls are responsible for enrolment, generally around May each year. French Polynesia offers a varied educational system, with schools specializing in diverse areas. The University of French Polynesia, a public scientific, cultural and vocational establishment, is located in Outamaoro, in the community of Punaauia. Established in 1987 and autonomous since 1999, this young university has been a major hub of higher education and research activities for over 20 years.

32. The General Directorate of Education and Teaching was established on 1 July 2014. It is responsible for all primary and secondary school education in the Territory.

33. According to the Economic, Social and Cultural Council, although virtually all young people now attend school, performance still lags behind that of metropolitan France, especially with regard to graduation rates. The baccalaureate diploma rate in French Polynesia is half that recorded in France; and the Territory is even further from its goal of a 70 per cent baccalaureate rate set by the 2011 Education Charter.

D. Health care

34. According to a health survey conducted in French Polynesia in 2010, most archipelagos, with the exception of the Society Islands, rely on the primary health-care services provided by the Government through first-aid stations, infirmaries, clinics and medical centres, whereas primary health care in the Windward and Leeward Islands is provided mostly by private practitioners, including physicians,

nurses, midwives and physical therapists. Four public hospitals provide local hospital care. Specialized health care is provided by public ambulatory medical services and, to a greater extent, by private specialist physicians, most of whom practise in Tahiti, Moorea and Raiatea. Those suffering from diseases that cannot be treated in Polynesia are evacuated to New Zealand or metropolitan France. According to the Statistical Bureau of French Polynesia, in 2014, there were 192 physicians, 39 dental surgeons and 55 pharmacists in the Territory. Health care is covered by a health insurance company managed by the Social Security Fund. There are three regimes: wage workers; non-wage-workers subject to employee and employer contributions; and the solidarity regime for indigent persons not subject to contributions. While the geographical and demographic situation of French Polynesia is beneficial in some areas in that it allows for local health care targeted to small communities, it nevertheless presents challenges, specifically in providing a sufficiently broad range of community-based care to meet needs; ensuring an even distribution of services throughout the Territory; and preventing delays in reaching and evacuating patients in emergency situations. As a result, providing quality health care to the entire population comes at a very high cost, according to the 2010 health survey conducted in French Polynesia.

35. In June 2014, the French Court of Audit (Cour des Comptes) published a thematic report entitled, "Health in the overseas territories: a responsibility of the Republic". Some of the information contained in the report is reproduced below.

36. A few of the 121 islands that make up French Polynesia are located more than 1,500 km from Papeete. Three quarters of the population live in Tahiti and Moorea. Most of the 76 inhabited islands have a clinic, an infirmary or a first-aid station.

37. In French Polynesia, 69.9 per cent of inhabitants are overweight; of these, 40.4 per cent are obese. Some 70 per cent of individuals over 18 years of age are overweight and 40 per cent suffer from obesity. The report notes that 74.2 per cent of those individuals identified in the 2010 health survey as suffering from high blood pressure were not receiving treatment. More needs to be done in French Polynesia to address addictive behaviours. Significant prevention initiatives have been led with regard to French Polynesian school and university health services. Polynesian school medical services monitor children's health over a long period; they conduct more frequent visits and identify problems earlier than is the case in metropolitan France.

38. The distance between islands in French Polynesia made it a pioneer in telemedicine: as early as 1991, electrocardiograms were being shared by hospital emergency room doctors on different islands. With the arrival of the Internet in 2000, such exchanges expanded to include photographs of patients and radiological imaging. In 2005, when an emergency medical service was established, physicians set up a system for sharing still images. A pilot project involving the high-speed transmission of moving images between three outlying islands was recently launched.

39. The Audit Court's report also contains an annex on the effects of nuclear tests carried out in French Polynesia. The report notes, inter alia, that from 2010 to 30 June 2013, the Committee for the Compensation of Nuclear Test Victims received 843 claims, 12 of which resulted in compensation and others of which are still under consideration. In 2007, a medical centre was established by the Territory and the French Government to provide health monitoring services for former

civilian and military workers on the Pacific test sites and for the communities living or having lived near those sites. The Court refers to a report on the application of Act No. 2010-2 of 5 January 2010 on the recognition and compensation of victims of the French nuclear tests, which was presented in 2013 to the senatorial committee for the monitoring of the application of French Senate laws.

40. The report of the French Court of Audit notes that, following the Fukushima accident in 2011, the Institute for Radiological Protection and Nuclear Safety increased the frequency of its analyses and communication measures (air, grass, milk, seawater, fish, etc.), as well as the number of measurement instruments, but did not identify any risk judged significant.

41. On 13 October 2015, when the commission for monitoring the consequences of nuclear tests pursuant to Act No. 2010-2 was established, the French Minister for Social Affairs, Health and Women's Rights noted that the Act had established a procedure for compensating victims. Any person with a disease thought to be radiation-induced and resulting from exposure to ionizing radiation from French nuclear tests was entitled to full compensation for damages. Under the 2010 victims' compensation scheme, all requests were submitted to the Committee for the Compensation of Nuclear Test Victims, which at that time was part of the Ministry of Defence. The Minister noted that, after three years of operation, the time had come to review the scheme and legitimate questions had been raised. Only 1 per cent of claims made between 2010 and 2013 had resulted in compensation. She also said that the Government had wanted to address that issue head on. Act No. 2013-1168 of 18 December 2013 on military programming established the Committee as an independent administrative authority. The consultative commission for monitoring the consequences of nuclear tests was thus moved from the Ministry of Defence to the Ministry of Health. The geographical areas and diseases covered by the scheme were expanded, which increased the number of persons entitled to submit a claim. The Minister also outlined the two objectives of the commission: to enhance the current compensation scheme and improve information about the scheme.

42. The President of the Territory stressed that nuclear testing had health, environmental, economic and political implications, and was the subject of intense debate among the population of French Polynesia and its politicians. In addition to the compensation of victims of nuclear tests, French Polynesia should address, inter alia, the geological monitoring of the Moruroa atoll, the decontamination of the Hao atoll, epidemiological follow-up for atoll populations near Moruroa and Fangataufa, and claims from associations such as Moruroa e tatou and Tamarii Moruroa.

IV. Consideration by the United Nations

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

43. The Special Committee considered the question of French Polynesia at its 8th meeting on 26 June 2015, pursuant to General Assembly resolution 69/103. At the same meeting, in accordance with a request for hearing granted by the Special Committee at the outset of the meeting, a representative of the Union pour la démocratie, Richard Ariihau Tuheiava, made a statement. Mr. Tuheiava said that

Member States should fully implement all General Assembly resolutions concerning decolonization in accordance with the relevant provisions of the Charter of the United Nations. In the case of French Polynesia, the administering Power had failed to comply with its obligations under Article 73 *e* of the Charter of the United Nations. The people of French Polynesia had been the victims of 193 atmospheric and underground nuclear tests over a thirty-year period, which had devastating humanitarian consequences. The report of the Secretary-General on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia (A/69/189) was far from comprehensive and was merely a compilation of replies from just two United Nations agencies out of some 22 requests for information. Given the clear evidence of the impact of nuclear testing in the Territory, French Polynesia should be included in the programme of work of the United Nations Scientific Committee on the Effects of Atomic Radiation. Mr. Tuheiava also recalled that numerous General Assembly resolutions had confirmed that the ownership and control of, and permanent sovereignty over, natural resources, including marine resources, lay with the peoples of the Non-Self-Governing Territories as part of their heritage. The administering Power continued to usurp the marine resources of the people of French Polynesia under the aegis of its successive organic laws unilaterally applied to the Territory. The rights of the people of French Polynesia over their exclusive economic zone were illegally under the full control of the administering Power. The unilateral exploitation by the administering Power had extended to other domains including airline and airspace fees. Under its political status as a dependency, the Territory was unable to control its borders, as that function was under the control of the administering Power. Mr. Tuheiava suggested that the Special Committee should begin a case-by-case work programme for French Polynesia to allow the people to realize their inalienable right to self-determination.

44. At its 8th meeting, on 26 June 2015, the Special Committee adopted, without a vote, a draft resolution submitted by the Committee Chair (see A/AC.109/2015/L.16).

B. Special Political and Decolonization Committee (Fourth Committee)

45. At the 3rd meeting of the Fourth Committee on 9 October 2015, on the basis of a decision taken at the 2nd meeting, the Committee heard three petitioners on the question of French Polynesia. Mr. Richard Ariihau Tuheiava, member of the Assembly of French Polynesia, inter alia, urged the administering Power to comply with its obligations under Article 73 *e* of the Charter of the United Nations, which, regrettably, it still ignored. He noted that the political status quo, with France controlling the main functions of governance, denied French Polynesia the fundamental right to an equitable and genuine self-determination process and constituted a false autonomy. France continued to usurp unilaterally the Territory's marine resources contained in the 5,000,000-km² economic exclusive zone. Further economic exploitation occurred in a number of ways. Responding to a question from the representative of the Solomon Islands, Mr. Tuheiava said that a regional or subregional mission, with the approval of the administering Power, would be a useful alternative. Such a mission would contribute to the collection of information required by the Special Committee and the Fourth Committee.

46. At the same meeting, another petitioner, Mr. Moetai Charles Brotherson, speaking in his personal capacity as a deputy mayor of Fa'a'ā, Tahiti, said that

French nuclear testing must be addressed by the United Nations without the bias of the military strategic context of the administering Power. The report of the Secretary-General on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia (A/69/189) had not been comprehensive, containing a mere compilation of replies from only two United Nations agencies. He also requested that French Polynesia should be included in the programme of the United Nations Scientific Committee on the Effects of Atomic Radiation. He noted that the Assembly of French Polynesia had adopted a resolution calling upon France to acknowledge the colonial nature of its nuclear testing and to set up a committee to assess the financial damages caused by the occupation.

47. At its 7th meeting, on 15 October 2015, the Fourth Committee adopted draft resolution V, entitled "Question of French Polynesia", contained in chapter XIII of the report of the Special Committee (A/70/23), without a vote.

C. Action taken by the General Assembly

48. On 9 December 2015, the General Assembly adopted, without a vote, resolution 70/100, based on the report of the Special Committee transmitted to the Assembly (A/70/23) and its subsequent consideration by the Fourth Committee. In that resolution, the General Assembly:

(a) Reaffirmed the inalienable right of the people of French Polynesia to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV) containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that it is ultimately for the people of French Polynesia to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of French Polynesia of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(c) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Special Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in French Polynesia, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(d) Regretted that the administering Power had not responded to the request to submit information on French Polynesia under Article 73 *e* of the Charter;

(e) Reaffirmed that an obligation exists on the part of the administering Power to transmit information under Chapter XI of the Charter, and requested the

administering Power to transmit to the Secretary-General such information on French Polynesia as called for under the Charter;

(f) Called upon the administering Power to intensify its dialogue with French Polynesia in order to facilitate rapid progress towards a fair and effective self-determination process, under which the terms and timelines for an act of self-determination would be agreed;

(g) Took note of the report of the Secretary-General on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia, prepared pursuant to paragraph 5 of General Assembly resolution 68/93 of 11 December 2013;

(h) Requested the Special Committee to continue to examine the question of the Non-Self-Governing Territory of French Polynesia and to report thereon to the General Assembly at its seventy-first session.